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3 **FAIR POLITICAL PRACTICES COMMISSION**
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8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
9 STATE OF CALIFORNIA
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12 In the Matter of) FPPC No. 05/806
13)
14) STIPULATION, DECISION and
15 T-BIRD RESTAURANTS COMMITTEE) ORDER
16 OPPOSING PROPOSITION 72 AND MIKKEL)
17 CHRISTENSEN,)
Respondents.)

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19 Complainant Michael B. Salerno, Executive Director of the Fair Political Practices Commission,
20 and Respondents T-Bird Restaurants Committee Opposing Proposition 72 and Mikkel Christensen agree
21 that this stipulation will be submitted for consideration by the Fair Political Practices Commission at its
22 next regularly scheduled meeting.

23 The parties agree to enter into this stipulation to resolve all factual and legal issues raised in this
24 matter and to reach a final disposition without the necessity of holding an administrative hearing to
25 determine the liability of Respondents.

26 Respondents understand, and hereby knowingly and voluntarily waive, any and all procedural
27 rights set forth in Sections 83115.5, 11503 and 11523 of the Government Code, and in Section 18361.1
28 through 18361.9 of Title 2 of the California Code of Regulations. This includes, but is not limited to, the
right to personally appear at any administrative hearing held in this matter, to be represented by an

1 attorney at Respondents' own expense, to confront and cross-examine all witnesses testifying at the
2 hearing, to subpoena witnesses to testify at the hearing, to have an impartial administrative law judge
3 preside over the hearing as a hearing officer, and to have the matter judicially reviewed.

4 It is further stipulated and agreed that Respondents T-Bird Restaurants Committee Opposing
5 Proposition 72 and Mikkel Christensen violated the Political Reform Act by failing to file a statement of
6 organization within 10 days of qualifying as a recipient committee, in violation of Section 84101,
7 subdivision (a) of the Government Code (1 count), failing to timely file a pre-election campaign
8 statement by the October 21, 2004 due date, in violation of Government Code Sections 84200.5 and
9 84200.7, subdivision (b), and failing to disclose contributions of \$1,000 or more within 24 hours of
10 receipt in an online campaign report, in violation of Section 85309, subdivision (b) (1 count), as
11 described in Exhibit 1. Exhibit 1 is attached hereto and incorporated by reference as though fully set
12 forth herein. Exhibit 1 is a true and accurate summary of the facts in this matter.

13 Respondents agree to the issuance of the decision and order, which is attached hereto.
14 Respondents also agree to the Commission imposing upon them an administrative penalty in the amount
15 of Six Thousand Dollars (\$6,000). A cashier's check from Respondents in said amount, made payable
16 to the "General Fund of the State of California," is submitted with this stipulation as full payment of the
17 administrative penalty, to be held by the State of California until the Commission issues its decision and
18 order regarding this matter. The parties agree that in the event the Commission refuses to accept this
19 stipulation, it shall become null and void, and within fifteen (15) business days after the Commission
20 meeting at which the stipulation is rejected, all payments tendered by Respondents in connection with
21 this stipulation shall be reimbursed to Respondents. Respondents further stipulate and agree that in the
22 event the Commission rejects the stipulation, and a full evidentiary hearing before the Commission
23 becomes necessary, neither any member of the Commission, nor the Executive Director, shall be
24 disqualified because of prior consideration of this stipulation.

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26 Dated: _____

Michael B. Salerno, Executive Director
Fair Political Practices Commission

1 Dated: _____

2 Mikkell Christensen, Treasurer, individually and
3 on behalf of T-Bird Restaurants Committee
4 Opposing Proposition 72, Respondents
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IT IS SO ORDERED.

Ross Johnson, Chairman
Fair Political Practices Commission